



Cynulliad Cenedlaethol Cymru **The National Assembly for Wales**

Y Pwyllgor Deisebau **The Petitions Committee**

Dydd Mawrth, 9 Rhagfyr 2014
Tuesday, 9 December 2014

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The proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included.

Aelodau'r pwyllgor yn bresennol
Committee members in attendance

| | |
|----------------|--|
| Russell George | Ceidwadwyr Cymreig Welsh Conservatives |
| William Powell | Democratiaid Rhyddfrydol Cymru (Cadeirydd y Pwyllgor) Welsh Liberal Democrats (Committee Chair) |
| Joyce Watson | Llafur Labour |

**Eraill yn bresennol
Others in attendance**

| | |
|----------------|---|
| Jayne Dulson | Cyfarwyddwr, NDCS Cymru Director, NDCS Cymru |
| Danyiaal Munir | Myfyriwr, Coleg Caerdydd a'r Fro Student, Cardiff and Vale College |
| Peter Rogers | Cyfarwyddwr, Sustainable Acoustics Cyf Director, Sustainable Acoustics Ltd |
| Elin Wyn | Cynghorydd Polisi, NDCS Cymru Policy Adviser, NDCS Cymru |

**Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol
National Assembly for Wales officials in attendance**

| | |
|-------------------|---|
| Kayleigh Driscoll | Dirprwy Glerc Deputy Clerk |
| Steve George | Clerc Clerk |
| Helen Roberts | Cynghorydd Cyfreithiol Legal Adviser |
| Kath Thomas | Dirprwy Glerc Deputy Clerk |

*Dechreuodd y cyfarfod am 09:06.
The meeting began at 09:06.*

**Cyflwyniad, Ymddiheuriadau a Dirprwyon
Introduction, Apologies and Substitutions**

[1] **William Powell:** Bore da, bawb. **William Powell:** Good morning, all.

[2] Good morning, all. Welcome to this final Petitions Committee of the autumn term. Normal housekeeping arrangements apply. We have had apologies from Bethan Jenkins this morning and there is no substitute on this occasion. So, I suggest that we move straight into consideration of new petitions.

09:06

**Deisebau Newydd
New Petitions**

[3] **William Powell:** We will start with P-04-606, Ensure schools exercise their statutory powers under regulation 7 of The Education (Pupil Registration) (Wales) Regulations 2010 without interference or bias. This petition was submitted by Pembrokeshire Parents Want a Say and collected 812 signatures. We have previously received a petition along very similar lines with regard to the issue of children being permitted to take a public holiday during term

time. The reference number of that petition, colleagues may recall, was P-04-576. I would propose, given that both petitions are essentially about the same matter, that we treat them in a grouped manner. We are still awaiting a number of responses in respect of the earlier petition, so I would propose in this particular circumstance that we hold off until we get those responses. Are colleagues happy with that way of dealing with it?

[4] **Joyce Watson:** Yes.

[5] **Russell George:** Agreed.

[6] **William Powell:** Okay, thank you very much. The next new petition is P-04-607, Call for the welsh government to purchase Garth Celyn. This petition was submitted by Kevin Bates and has the support of 650 signatures. Just to give a brief flavour of the petition, it says:

[7] ‘This historic building and grounds are up for sale. Such is the importance of this building/grounds to wales and its history we call upon the welsh government to do whats right and secure Garth celyn for the welsh people once and for all.’

[8] In advance of this first consideration, I wrote to the Deputy Minister for Culture, Sport and Tourism with regard to this matter and we have received a response from Ken Skates, which is in our public papers. We have also received a response back from Kevin Bates with respect to the Deputy Minister’s letter. I think at this stage it would be sensible to share that response back with Ken Skates to see what his views are.

[9] **Joyce Watson:** I agree.

[10] **William Powell:** Are colleagues happy?

[11] **Russell George:** Agreed.

[12] **William Powell:** Good. The next petition is P-04-608, Inquiry into the Welsh NHS. This petition was submitted by P.J. Vanston and collected 146 signatures, calling upon the National Assembly for Wales,

[13] ‘to urge the Welsh Government to hold a full and comprehensive inquiry into the Welsh NHS. This diagnostic inquiry will ensure that all matters of concern are identified and addressed, and that standards in the Welsh health service are continually improved for the sake of NHS staff, patients and the people of Wales’.

[14] I wrote to the Minister for Health and Social Services seeking his views, which we duly received. Very recently indeed, P.J. Vanston—that is, the petitioner—has responded to those concerns; it is quite an extensive response. For the sake of consistency, colleagues, if you would be happy with me sharing those back with Professor Mark Drakeford, the Minister for Health and Social Services, I think that that would probably be the best approach. Are there any other actions that colleagues would suggest that this stage?

[15] **Joyce Watson:** No.

[16] **Russell George:** Agreed.

[17] **William Powell:** You are happy; okay. We move now to petition P-04-610, Reverse the Cuts to Hardship Funds in Universities. This petition was submitted by NUS Wales and collected 133 signatures. The petition reads:

[18] ‘The hardship fund given to Universities by the Welsh government, the Financial

Contingency Fund, has been cut for 2014/15. We believe this to be a damaging decision and call on the Welsh government to reverse the cuts immediately.’

[19] I think that I will pause at this point because obviously the situation has changed quite significantly since that. Joyce, I sense that you would maybe like to make a proposal.

[20] **Joyce Watson:** Well, it is good news, is it not? The financial contingency fund for higher education will continue for another year. So, it is good news in that regard—

[21] **William Powell:** Absolutely. It is responding to the very heart of the petition, really.

[22] **Joyce Watson:** Yes, and I think that it just shows that when people bring things to light, sometimes, things do get changed positively. I am sure that the students will agree that this is indeed a positive change.

[23] **William Powell:** In light of that, colleagues, would it be sensible to draw this to a close and write to the petitioners thanking them very much for the pressure that they have helped bring to bear on the matter?

[24] **Joyce Watson:** Yes.

[25] **Russell George:** I was just wondering, Chair, if the commitment is for a further 12 months, is it perhaps worth asking the petitioners whether they are content with what has been announced? However, I am happy then to give discretion to close the petition.

[26] **William Powell:** Yes, I think that we can build that into the response. However, the text referred to reversing the cuts, which suggests a one-off action, and we obviously cannot guarantee things for a future time.

[27] **Joyce Watson:** No.

[28] **Russell George:** I was happy for you to write to them, and if they are content and happy, as they may be, then we should close the petition. However, if they do come back and say that they would like some further clarification or—

[29] **William Powell:** I am happy to write in that vein. I think that we are together on that one really. That is good.

[30] That concludes the consideration of fresh petitions.

09:12

Y Wybodaeth Ddiweddaraf am Ddeisebau Blaenorol Updates to Previous Petitions

[31] **William Powell:** The first petition is P-04-541, Support for the Mentrau Iaith (Language Initiatives). This petition was submitted by Heini Gruffudd and was first considered on 29 April 2014. It has the support of 1,346 signatures. It calls on the Welsh Government,

[32] ‘to congratulate the Mentrau Iaith for their innovative work in promoting the use of the Welsh language across Wales;’

[33] and seeks a whole range of commitments in terms of resourcing the network for the future. We last considered correspondence on this back on 7 October, and we agreed to write

to the First Minister, at the request of Heini Gruffudd and his fellow petitioners, seeking an independent assessment of the resources needed. We agreed to await the First Minister's response. In fact, we have now received a response from Carwyn Jones, the First Minister. Also, the petitioners have responded to that letter. My reading of their response is really that they are broadly content to proceed directly with the First Minister on this matter. They seem to feel that there is meaningful dialogue now.

[34] **Russell George:** I agree, Chair.

[35] **William Powell:** I would be prepared to draw this to a close if colleagues are content with that because that seems to be the direction that we are moving in.

[36] **Russell George:** Agreed.

[37] **William Powell:** Okay; agreed. The next petition is P-04-549, Make 'Hen Wlad Fy Nhadau' the Official Welsh National Anthem. This petition was submitted by Stuart Evans and was first considered back on 29 April. It has the support of 1,012 signatures. We considered correspondence on the petition originally and got the petitioners' views on the First Minister's correspondence and agreed to move to close this in the context of final contact with the petitioner. We have now got a response from the petitioner, who is clearly still of the view that it should be made the official national anthem. I think that there is sympathy in other quarters for that, but we have got a clear view that that is not actually currently a possible development. Therefore, I think that, probably—although we have closed several—this is going to be the next one, if colleagues are content.

09:15

[38] **Russell George:** I think that it has to be, Chair.

[39] **Joyce Watson:** Yes.

[40] **William Powell:** Okay. Clearly, we leave the petitioner not entirely satisfied, but we cannot satisfy on all occasions.

[41] We move now to P-03-315, New Dyfi River Crossing Petition. This was submitted in February 2011 by the south Meirionnydd older people's forum and was first considered on that occasion. It has 3,204 signatures in support and we last considered this in committee on 7 October and agreed to seek further comments from the petitioner and also to seek a further, regular update from the Minister for Economy, Science and Transport on the implications of the new budget arrangements that were announced earlier in the autumn. We have now got a clear undertaking from the Minister with regard to the solidity of that funding and the fact that work on the bridge will proceed at the earliest possible time. We have been in a fairly constant attempt to get in touch with the petitioners, and we have not heard from them lately, have we? So, I think that we have to move to close. Russell, have you any views on this one?

[42] **Russell George:** I was going to suggest that, because we have not heard from the petitioners for some time, things have moved on and I think that the petition has been addressed. So, that is good news and I think that—

[43] **William Powell:** We recall that the petitioners had a slightly different view from the majority of the Machynlleth residents regarding routing, but that is a point of detail. I agree with you. I think that we have consensus, again, to close this and we should write to the petitioners congratulating them on their contribution to this historic development.

[44] **Joyce Watson:** Yes.

[45] **Russell George:** Quite right.

[46] **William Powell:** That is excellent.

[47] P-04-574, Bus Services in Burryport, was submitted by John James and was first considered on 15 July this year. It has 574 signatures in support and simply stated,

[48] ‘We the undersigned, request that the direct service from Burryport to Prince Philip Hospital be reinstated with immediate effect.’

[49] We last considered this on 23 September, and it was agreed to write to Carmarthenshire County Council seeking its views on the correspondence, and we have now received a response from the leader of Carmarthenshire County Council, Councillor Kevin Madge, and that is in our public papers. We have asked the petitioners also for a response, and we got a late response from Councillor John James on this matter. It appears to be purely a Carmarthenshire County Council decision, and that is underlined by Kevin Madge’s letter. It is pretty clear that the situation is not going to change, according to the text of the letter. So, do colleagues have a view as to what we should do?

[50] **Joyce Watson:** We have done everything that we can do on this, and I know that there will probably be ongoing dialogue in other places, but we can do no more, so we will have to close.

[51] **William Powell:** I am content to go along with that. What about you, Russell George?

[52] **Russell George:** I think that the question that we have got to ask is, ‘Can we do anything else?’ and we cannot.

[53] **William Powell:** That is evident. What I think would be sensible, in closing it, would be to build this as another point of reference into the short inquiry. It is just another piece of the jigsaw, really, and if colleagues are happy with us doing that, I think that that would mean that at least the petition has contributed to that wider work, but I do not think that we can advance this individual case. That is agreed.

[54] P-04-590, Funding for the Cardi Bach Coastal Bus Service, was submitted by Janet Richardson and first considered on 23 September this year. It has the support of 1,084 paper signatures and a further 121 electronically. We agreed, at the time that we first considered the petition, to write to the Minister for Economy, Science and Transport and also to Ceredigion County Council. We have received a ministerial response, and, also, we have received additional comments from the petitioners. In her letter, the Minister refers to a further update that will be available in due course, because of a piece of work that is going on. So, I think we probably need to await that. However, contained within Janet Richardson’s response to us, there is a request for clarification as to how they can engage and maybe, in awaiting the ministerial response, we could also forward the petitioner’s comments, because the Minister or her officials could clarify how they can build this group into the ongoing work. Are colleagues happy with that approach?

[55] **Joyce Watson:** Yes, very happy.

[56] **William Powell:** Good. We move on to P-04-547, Ban Polystyrene(EPS) Fast Food and Drinks Packaging. This petition was submitted by Friends of Barry Beaches and was first considered on 29 April this year and has 295 signatures in support. We last considered this on 23 September and agreed to seek clarification from the petitioners on whether they wish to

pursue the matter actively, because colleagues may recall that there was a very positive tone in the correspondence that we received from the petitioner and it might have given us to understand that the issue was maybe being addressed in other ways. However, we have now received confirmation from the petitioners that they are still wishing to contribute to a piece of work on this, which colleagues will remember we were minded to undertake. We also have an outline from the Research Service in terms of the possible direction that such a piece of work could take. Are there any comments on the proposed spec that has been suggested?

[57] **Joyce Watson:** Yes, if I may, Chair, I think it is a really good outline, and thanks for that. It would be a really good piece of work if we can do something with it. I have to say that I would support the ban—I might as well say that now—because of all of the damage that it does. However, it is really good and, because we are members of the environment committee as well, perhaps it would be worth feeding something through to the environment committee.

[58] **William Powell:** I think that that would be sensible to make sure that our Chair and the clerking team are aware of it.

[59] **Joyce Watson:** Maybe if it has some space, its members might be interested in it.

[60] **William Powell:** I think we know how much space that committee has, given that we all—.

[61] **Joyce Watson:** I have to say that I do know exactly that it has no space—

[62] **William Powell:** We should not prejudge it. That is fair enough.

[63] **Joyce Watson:** —because there is a lot of legislation coming its way. However, I support it and thanks to the team that has put this together. I am sure that we will find it fascinating.

[64] **William Powell:** Yes, of course, the single use carrier bag levy, which was controversial at the beginning, was also the product, originally, of the petitions process, and maybe this could have the makings of a further step in that direction. Russell?

[65] **Russell George:** I think that all petitions are usually specific to one group of people, but this petition, I think perhaps resonates across. It would receive a great deal of interest beyond the petitioners.

[66] **William Powell:** Absolutely. It is Friends of Barry Beaches, but the same issues apply across the whole of our coastline.

[67] **Russell George:** I think that the Assembly as a whole and the Welsh Government would be interested if we did a piece of work on this, because it would inform them. So, I would agree with what is being proposed and that we should invite the people in who have been outlined as a panel here, and do a short inquiry.

[68] **William Powell:** I think if we could put that in hand in the first half of the spring term, at least to kick off, that would make a lot of sense. If there is scope for some sort of hands-on or short-focused visit by the committee, then I do not see why that should not necessarily play a part as well—even a visit to Barry beach. We will have to give that some thought. Excellent. Thanks very much for your support on that, and I would also like to add my thanks to the Research Service for producing the outline that we have, which I think is a really good way forward.

[69] We move on to P-04-445, Save our Welsh cats & dogs from death on the roads. This

was submitted by Monima O'Connor and was first considered on 25 January 2013 and it had the support of 10 signatures:

[70] 'We, the undersigned, call on all Welsh Residents who own cats and dogs to support our petition to the Welsh Government to remove the ban on electronic collars linked with invisible boundary fencing/hidden fencing so that we can protect our companion pets from harm either from: a) Road Traffic b) Straying into Danger c) Causing accidents for which we owners of cats & dogs might legally be held liable.'

[71] This petition was last considered by the committee back on 7 October and we agreed to pass on the petitioner's further comments, and indeed, the invitation that she had kindly issued, to the Minister and her officials and to ask to be kept informed of developments. We have since had a copy of the Minister's response, giving further information as to how the review is going to be taken forward, and the petitioner has commented. Both are in the public pack. I think, probably for the sake of consistency, that we should share the petitioner's most recent comments with the Minister, particularly since the Minister is still relatively recent in post and coming to terms with this issue as with many others. I also sense that maybe we do not have a lot further to go in terms of what we can do with this petition, but let us see what the Minister's considered view is of Monima O'Connor's latest comments.

[72] **Joyce Watson:** Okay, fine.

[73] **William Powell:** Okay, thank you. We move on to P-04-533, Environmental Planning for Small Scale Wind Turbine Sites. This petition was submitted by GALAR and was first considered on 4 February 2014, having collected 433 signatures. We last considered this back on 7 October and we agreed to write to the Minister for Natural Resources, Carl Sargeant, to seek his views on the petitioners' comments. We have a particularly clear response from Carl Sargeant, and the petitioners have also commented on that response. Clearly, there is a difference of view here, but it seems to me that we have possibly come to the end of the road on this one. I would appreciate colleagues' views as to whether or not that is also their view.

[74] **Joyce Watson:** It is my view.

[75] **Russell George:** I think so, Chair. It depends, I suppose, on the way that the wording is constructed and so forth, but the petitioner could always bring back a further petition on a different issue, I suppose. However, on this particular issue—

[76] **William Powell:** There is always scope for that. It continues to be a burning issue.

[77] **Russell George:** We cannot take it any further.

[78] **William Powell:** No. I think that we have unanimity there. So, we agree to close that petition.

[79] We move on to P-04-544, Ban the Shooting of Greenland White-fronted Geese. This petition was submitted by Aaron Davies, and was first considered by us on 29 April of this year. It has the support of 240 signatures. You will recall that the petitioners are calling upon the National Assembly for Wales to urge Welsh Government to reverse its decision not to ban the shooting of an endangered species—the Greenland white-fronted goose, meaning that Wales remains the only country on the flight path of this endangered species where they can still be legally shot and killed. The text of the petition gives ample testimony to the concerns of the petitioners in that regard.

[80] We last considered this in committee on 25 November and we agreed to seek further

comments from the petitioner. The petitioner has responded, and we have had additional correspondence forwarded to us from Professor Tony Fox, who is an expert in this field. The comments of both the petitioner and Professor Fox are in the public papers. I think that it would be very useful, given the serious allegations and comments made by Professor Fox with regard to shooting incidents since 2009, if we could ask him if we could share that information with Welsh Government officials, because that could obviously change the whole context of this discussion and maybe give the Minister cause to reflect on his earlier views. Colleagues, what are your thoughts on this?

09:30

[81] **Russell George:** The Welsh Government official has almost requested further information, so I think we should do that, yes.

[82] **William Powell:** Absolutely. Given the experience that Professor Fox has had over the last five years, let us hope that he has some specific details that will be of use to informing the Government's approach to this. Okay, thanks very much.

[83] We move on to P-04-555, Stop the unethical and draconian proposed compulsory microchipping of dogs. This petition was submitted by Sovereign Wales and the ChipMeNot campaign group and was first considered on 13 May 2014. It has the support of 11 signatures. We last considered this on 23 September and we wrote to the Minister for Natural Resources and the Deputy Minister for Farming and Food seeking their views. We also have the written statement from the Deputy Minister for Farming and Food, dated 22 September, on the very subject of animal welfare and dogs. We sent this to the petitioners for information. We now also have a specific response from the Deputy Minister and we have feedback from the petitioners on that matter. There are two options here, I suppose. Colleagues, I would appreciate your views.

[84] **Joyce Watson:** I think, Chair, that we have had a lot of to-ing and fro-ing on this. It seems at this stage that the Deputy Minister is not going to change her mind. We could carry on a dialogue, and I am sure the petitioners will carry on a dialogue with the Deputy Minister, if they so wish. However, in terms of what we can do, coming back to what we measure—

[85] **William Powell:** Applying that test.

[86] **Joyce Watson:** —we can do no more. We have done everything we can and I move to close it.

[87] **Russell George:** I would agree, Chair. It looks like the debate through us has been exhausted. I think it can continue, but I just do not think that the committee can—

[88] **William Powell:** I think that is probably close to my own view as well. So, I think we should agree on closure on this occasion. Thank you.

[89] We move to P-04-575, Call in All Opencast Mining Planning Applications. This petition was submitted by the United Valleys Action Group and was first considered on 15 July 2014, having collected 130 signatures. An associated petition specific to a particular planning application had collected in excess of 6,500 signatures. I think I should also put on the record, as I did last time we discussed this, that I addressed a rally of this particular group earlier in the spring and I have some association with the wider issues. I know that that was something that our colleague Bethan Jenkins also declared on the previous occasion.

[90] We last considered this on 7 October and we agreed to seek the Minister's views on the comments we received from the petitioners, to write to the Chair of the Environment and

Sustainability Committee highlighting the petition, and to contemplate how we could bring this to the floor of the Assembly so that the matter could be fully debated. We have a response from the Minister and, indeed, further feedback from the petitioners. We have also a memo to the effect that the environment committee, as we will all recall, since I think we were all there, gave this some consideration on 13 November, and it is on the agenda for tomorrow's meeting within discussions on the forward work programme. What are your suggestions on this one?

[91] **Joyce Watson:** I think we need to at least wait to see what happens in the environment committee, although some of us here are on the environment committee, if not all of us.

[92] **William Powell:** Yes, all of us currently.

[93] **Joyce Watson:** So, I think, at this stage, we have to wait for that.

[94] **William Powell:** I think we must await the outcome of tomorrow's discussion on the forward work programme. We are agreed.

[95] We move on to P-04-584, Wales Planning Bill to Protect Town and Village Greens in Wales. This petition was submitted by Nortridge Perrott and was first considered on 23 September 2014, having collected 19 signatures on the Assembly's e-system, with a further 184 signatures on an alternative e-petition website. I am conscious that this matter has been quite a high-profile subject in our recent scrutiny on the Environment and Sustainability Committee of the Planning (Wales) Bill. In the context of this committee, we last considered it on 23 September and agreed to write to the Minister for Natural Resources, seeking his views. We now have a response from Carl Sargeant, and that is in the public papers. The petitioner has been asked for his comments, but we have not as yet heard back from Mr Nortridge Perrott. So, what are your thoughts on this, colleagues?

[96] **Russell George:** I think, Chair, that there is a better avenue for this, and that is through the scrutiny of the planning Bill. I do not think that our committee is going to influence that—the committee and the Government will make their decision through another channel, if you like. So, I would suggest that we close the petition, but that we then forward correspondence and suggest that the petitioner feed in to the evidence sessions on the planning Bill.

[97] **Joyce Watson:** I agree.

[98] **William Powell:** I am sympathetic to that approach, and Joyce is also of that view. In fact, if colleagues recall, the previous petition submitted by Mr Nortridge Perrott, which was with regard to double mandates between the Assembly and other roles, was also forwarded to the the—*[Inaudible.]*—committee, where it formed quite a substantial part of its report. So, I think that, in many ways, the petitioner will not be a stranger to that route, and I think that it is a sensible suggestion.

[99] **Russell George:** I think, in many ways, Chair, that is what our Petition Committee is. We are the start of a process, sometimes, and then—

[100] **William Powell:** Absolutely.

[101] **Russell George:**—having facilitated it, if we can, we release it and it goes down another formal channel.

[102] **William Powell:** Absolutely. It has a life of its own. Excellent. Good. Thanks for

that.

[103] We move now to P-04-466, Medical Emergency—Preventing the introduction of a poorer Health Service for North Wales, and P-04-479, Tywyn Memorial Hospital X-ray and Minor Injuries Unit Petition. We have furiously considered these together, and, in fact, just over a year ago, we had a joint evidence session on both at Prestatyn High School. We last considered these petitions on 7 October, and we agreed to seek further comments from the petitioners. In the case of the Tywyn petition, we heard back recently from the petitioners. That has not been the case, I think, with regard to the earlier, more generic petition with regard to the quality of health services across north Wales. The chief executive of Betsi Cadwaladr University Local Health Board, Professor Trevor Purt, has now responded, and we have, as I said, further feedback from the Tywyn petitioners. Both letters are in our public papers. It would probably be sensible to draw the most recent petitioners' comments to the attention of Professor Purt and his team and ask them to keep us informed of the progress around the mid Wales healthcare report and its aftermath, possibly in three months' time or thereabouts, because it is still at a relatively early stage in implementing Professor Longley's recommendations, is it not?

[104] **Joyce Watson:** I agree.

[105] **Russell George:** I agree, but if we have not heard back from the other petitioners, within, say, two months, then perhaps we should remind them as well, ahead of us discussing the—

[106] **William Powell:** Yes, I think that that would make quite a lot of sense. However, it is quite an exciting time in terms of the way that study is being taken forward, and I know that there is a lot of interest in the region.

[107] Next is P-04-560, Provision of IBD Services in Wales. This petition was submitted by the south Wales inflammatory bowel disease patient panel and was first considered on 17 June of this year. It has the support of 664 signatures. We considered this petition for the first time, as I said, back in June, and we agreed to write, seeking views on the petition, both to the Minister for Health and Social Services and to all local health boards in Wales. So far, we have received a response from the Minister and from three of the health boards: Abertawe Bro Morgannwg University Local Health Board, Betsi Cadwaladr University Local Health Board, and Hywel Dda Local Health Board. There is an interesting difference of emphasis, or difference of view, in fact, between the Minister, who seems not to favour a national overarching strategy in this particular area, and the three health boards that have so far responded, which all seem to be looking for such an approach, to some degree. Perhaps it would be sensible, even though we have only a partial response—and we can chase the others—to send that information up the track to the Minister so that he is aware, at least, that the boards themselves are looking for some sort of co-ordinating role or some sort of overall strategy. I think that that would probably be useful. Are colleagues happy with that?

[108] **Joyce Watson:** Yes, I think that that would be very useful.

[109] **William Powell:** Good.

[110] We move to discuss P-04-564, the Restoration of Inpatient Beds, Minor Injuries Cover and X-Ray Unit to the Ffestiniog Memorial Hospital. This petition was submitted by Geraint Vaughn Jones and was first considered by us on 17 June this year. It was supported by 2,754 signatures. In many ways, perhaps it would be sensible for us to look at this in the context of the other two that we considered a little earlier, because there is explicit reference to the Marcus Longley recommendations, which, at this stage, were still being awaited, if I recall the sequence correctly. Would colleagues approve that approach of grouping this into

the other and revisiting this in a while?

[111] **Joyce Watson:** Well, yes, it is sort of—

[112] **William Powell:** There is a link, is there not?

[113] **Joyce Watson:** It links in some places, but not in others. It is all about the healthcare in that area and any action or proposals after the Marcus Longley report. So, therein it resonates with the other, and, geographically, they are pretty close together—well, if you consider mid and west Wales in its entirety.

[114] **William Powell:** It is all relative, is it not?

[115] **Joyce Watson:** It is all relative. So, yes, I am quite happy.

[116] **William Powell:** The other issue is that we have not, in recent times, heard from the petitioners. So, it is an opportunity for us to write back seeking views, but also indicating that we are minded to consider it in that wider context now that the report is due for implementation.

[117] **Joyce Watson:** Yes.

[118] **William Powell:** Agreed.

[119] We move on to P-04-568, Public Inquiry into ABMU Health Board. This petition was submitted by ABMU victim support group and was first considered by us on 1 July this year. It has the support of 87 electronic signatures and 778 paper signatures. In a similar vein to the petition that we considered at the start of our agenda, it calls upon the National Assembly for Wales to

[120] ‘urge the Welsh Government to hold a full public inquiry in order to investigate the serious concerns raised about standards of care and complaints handling within ABMU Health Board’.

[121] **Joyce Watson:** I think that I have declared an interest in the past. I shall be doing exactly the same now.

[122] **William Powell:** Thank you for that for the record, Joyce. The petition was last considered by us on 23 September. On that occasion, we agreed to seek the Minister’s comments on the petitioners’ request for a public inquiry and also to draw this to the attention of the Health and Social Care Committee, to ask whether it had any plans to look at it. The Minister has now responded, and his response is clear. It is not the view that the petitioners would like to see, but it is a clear response. We also have a response from our colleague David Rees, who chairs the Health and Social Care Committee. Both of those letters are in the public papers. We can see that David Rees is possibly in favour of running this past the Public Accounts Committee, given its interest in health board finance issues and, possibly, it would make sense if we were to pick up on that advice and write to our other colleague Darren Millar, who chairs that committee, to see whether it has an appetite to take this issue on board.

[123] **Russell George:** Let us explore that option.

[124] **William Powell:** Excellent. Okay, we will bring it to the attention of Darren Millar, because there is some wider work going on in the Public Accounts Committee at this moment and, probably, in the spirit of making some progress, that would be a sensible way forward.

Joyce.

[125] **Joyce Watson:** I am not taking part.

09:45

[126] **William Powell:** You are not taking an active part, which is fair enough.

[127] **Joyce Watson:** So you are not quorate now, are you?

[128] **William Powell:** I think that that makes a lot of sense, so I shall write in that vein to Darren Millar. Thank you.

[129] The next item is P-04-580, Restrictions on Donating Blood. This petition was submitted by Scott Dymond and was first considered on 23 September of this year. It has the support of 83 signatures. When we considered this for the first time back in September, we agreed to write to the Minister for Health and Social Services and to the Welsh Blood Service seeking views on the petition. We also have a factual briefing on the wider issue behind the petition, and we are grateful for that. Response has been received from the Welsh Blood Service, which is in our public papers. We have not as yet heard from the Minister, and I think that that is something that we should do as well as feeding back what we have received from the blood service to Mr Scott Dymond. Is that a sensible approach, as well as chasing ministerial response?

[130] **Joyce Watson:** Yes.

[131] **William Powell:** It is certainly unusual for us not to have a response, because the Minister is usually very prompt in doing that. On this occasion, there seems to be something of a lapse.

[132] The next item is P-04-588, Charter for Children and Fathers. This petition was submitted by Families Need Fathers: Both Parents Matter Cymru and was first considered on 23 September 2014. It has the support of 335 signatures. When we considered this back in September, we agreed again to write to the Minister for Health and Social Services seeking his views. Interestingly, we have had a joint response the Minister for Communities and Tackling Poverty and the Minister for Health and Social Services. We have also received a detailed response from the petitioners with regard to that. I would appreciate a steer as to how best to take this forward, colleagues.

[133] **Joyce Watson:** If we apply the test that we have already applied a couple times, we have gone as far as we can. The Ministers have, in the last paragraph, made it quite clear that they do not feel that it is necessary to adopt the charter for action for children and fathers but acknowledge the contribution that the charter has made to ongoing policy deliberations. Since that is what they are asking for—

[134] **William Powell:** We have absolute clarity there, there is no doubt.

[135] **Joyce Watson:** I cannot see that we can go anywhere else at all. They have been invited. We have had all of that evidence given to us. We are not going to get any further, are we?

[136] **William Powell:** The only thing that is of some curiosity to me, and possibly to Russell as well, was the reference to the children and adolescent welfare assessment checklist, and why that cannot be shared, because it is basically a kind of methodology. I do not quite understand that. I do not know whether it would be useful to get a response on that issue.

[137] **Russell George:** I think that the petitioners have made some comments, and it would be useful to get some answers from the Minister. So, I think that there is a little bit more that we can do on this. However, I agree with Joyce; it is right what she says: it has been very clear and we have a full answer from two Ministers who have signed the letter. Perhaps let us just clarify this last point and see what comes of that.

[138] **William Powell:** Joyce often rightly stresses the importance of consistency. This has only, so far, been subject to one exchange, so it would not hurt to get the clarity on that point, because it is a matter of some curiosity to me also. However, Joyce's wider point also stands. I think that we are agreed on that one.

[139] The next item is P-04-511, Support for children and young people participation standards. This petition was submitted by Powys Youth Forum and was first considered on 11 November 2013, supported by 39 signatures. We first considered this on 7 October and agreed a series of actions: to seek the views of Children in Wales on how it intends to take forward work in this area under the children and families delivery grant, and also to ask the Minister for Communities and Tackling Poverty what action had been taken in respect of the recommendations from the participation unit's final report. We have got a response, and a fairly full response, from Mrs Williams of Children in Wales and also from the Minister. We have asked the petitioners for their comments on both of those responses. I do not think that we have had a late response, so we still await that response. I think probably, for consistency, we should wait for that feedback.

[140] **Joyce Watson:** Agreed, Chair.

[141] **William Powell:** Okay. I propose that we take a short recess before the evidence session at 10 a.m. So, we will have a five-minute recess.

*Gohiriwyd y cyfarfod rhwng 09:51 a 10:00.
The meeting adjourned between 09:51 and 10:00.*

Evidence Session—P-04-481 Cau'r Bwlch ar gyfer Disgyblion Byddar yng Nghymru
Evidence Session—P-04-481 Close the Gap for Deaf Pupils in Wales

[142] **William Powell:** Bore da, bawb. You are most welcome. This agenda item is on petition P-04-481, Close the Gap for deaf pupils in Wales. This is our evidence session. I would like to welcome you all here this morning. I would like to ask you first of all to introduce yourselves for the Record and also to check the sound levels.

[143] **Ms Dulson:** Thank you very much. My name is Jayne Dulson and I am a director of the National Deaf Children's Society here in Wales. Shall I introduce my colleagues for you? Would that be easier?

[144] **William Powell:** Please.

[145] **Ms Dulson:** Okay. On my left we have Elin Wyn, who is our policy and campaigns adviser here in Wales and Danyiaal Munir, who is very kindly giving his time to us today. Danyiaal is a friend of the National Deaf Children's Society and is a deaf young man himself. He is currently a student at Cardiff and Vale College and was previously a pupil at Llanishen High School in Cardiff. On my right we have Peter Rogers, who is an expert in acoustics and a fellow of the Institute of Acoustics. He has more letters after his name than in his name. *[Laughter.]*

[146] **Mr Rogers:** Bore da.

[147] **Ms Dulson:** So, that is us.

[148] **William Powell:** Excellent. Are there any opening remarks you would like to make? I believe that you have a short presentation for us also.

[149] **Ms Dulson:** Yes, indeed, we do. Okay, thank you. It was back in May 2013 that we submitted our video petition, 'Closing the Gap'. So, we are very grateful for this opportunity today to be able to discuss it more widely with you and take questions on it. 'Closing the Gap' is based around the educational attainment of deaf children in Wales, and, within that petition, you will have seen several issues identified as being key to levelling that gap. There are two issues that are of particular significance. The first is deaf awareness. Although we are not here to discuss that today, I do not want to leave it in the grass. It is a very important issue as far as we are concerned and one that we would like to see dealt with on an all-schools basis, dealing with deaf awareness-raising for all staff in schools as well as all pupils. However, as you know, today—and I am rushing through—we are here to deal with acoustics and the importance of raising the level of acoustic environments within school buildings in Wales. We would like also to mention that our aim is to achieve better acoustic settings not just in our schools but also in our colleges and nursery schools throughout the principality.

[150] There are around 2,700 deaf children currently in Wales, but that number is inflated somewhat by 80% of all children between the ages of 0 and 10 years suffering at least one episode of temporary deafness during their young lives. That can be a period of some weeks or even some months and it can be repeated. So, you can see that the number of deaf children at any one time in our school population can be quite high. With more than 90% of deaf children educated in mainstream education settings, there is potential at any time for a deaf child to be in any classroom in any school throughout the country. You will know that pupils access an essential part of their learning by hearing and retaining information, and a good listening environment, a good acoustic setting, is therefore a good learning environment.

[151] Building regulations were devolved to the Welsh Government on 31 December 2011. At that time, NDCS in Wales launched its 'Sounds Good?' campaign, which called on the Welsh Government to use its new powers that it had then been given to strengthen building regulations regarding acoustics in new school buildings and extensions to those buildings, regardless of funding streams. We also wished that to be extended to include nursery schools and colleges but, to this date, there has been no improvement made.

[152] In England, 'Building Bulletin 93', which is the building regulation particularly pertaining to acoustics, has been archived; it is currently being reviewed, and we are expecting a replacement to that imminently, in the new year. The improvements to 'Building Bulletin 93' aim to update and streamline acoustics in all schools in England.

[153] In addition, I would like the Petitions Committee to note that the School Premises (England) Regulations 2012, which are applicable to England only, require that acoustic conditions

[154] 'must be suitable, having regard to the nature of the activities which normally take place therein.'

[155] The equivalent clause in the 1999 regulations, which still apply in Wales, is significantly weaker. Therefore, it is our assertion that Wales could be taking a backward step if the Welsh Government does not strengthen minimum controls on acoustic standards within Wales.

[156] As I said, this is a campaign based on closing the educational attainment gap, and the educational attainment gap for deaf pupils in Wales is significant. ‘Significant’ seems to be my word for the day. *[Laughter.]* At the moment, there are gaps at every key stage, and the relative gap at GCSE level in the last academic year, as cited by the Welsh Government, is 21%. That is from the core subject indicators. So, it is 21%, and, as deafness is not a disability in itself, I am sure that you will agree that that is, again, a significant gap and an unacceptable one. So we, today, are calling on the Welsh Government to do the right thing and make schools, nurseries and colleges in Wales sounds good and close that educational attainment gap. That is all that I have to say for the moment, but, obviously, I will take questions later; I would welcome questions from you, as would my panel. I am going to hand over to Elin Wyn now.

[157] **Ms Wyn:** Bore da, and apologies, I have a bit of a sore throat.

[158] **William Powell:** Dim problem. **William Powell:** That is not a problem.

[159] **Ms Wyn:** It can be very difficult for hearing people to experience and to understand what it is like to be deaf. A hearing person can go around all day with ear plugs in their ears just to have a simulation of what it is like to be deaf, but, actually, most deaf children will have hearing aids or a cochlear implant. The point is that hearing aids and cochlear implants amplify all noise. When you are a hearing person, you can block out certain background noises, but that does not happen when you have a hearing aid. So, what we have for you now are sound simulations of what it is like for a pupil with high hearing loss, wearing hearing aids, in different situations. The first one is in a classroom with quite a lot of background noise from outside the classroom and quite a lot of chatter.

*Chwaraewyd recordiad sain.
A sound recording was played.*

[160] So, you see, it is quite difficult to understand any kind of words, phrases, or anything in that.

[161] The second clip is of a classroom without any sort of external background noise, but still with some chatter from the fellow pupils.

*Chwaraewyd recordiad sain.
A sound recording was played.*

[162] So, you see that there is a slight difference, but not an awful lot.

[163] The third clip is of a classroom that has been acoustically treated, so it is a much better environment for a child who has hearing aids or cochlear implants.

*Chwaraewyd recordiad sain.
A sound recording was played.*

[164] So, you can just about make out some of the words there.

[165] This is probably not the best acoustic environment in which to hear these clips, as our acoustics expert will probably explain to you.

[166] **Mr Rogers:** Absolutely. Obviously, this is a very reverberant room; I am just going to demonstrate it for you by clapping. I am sure you have heard this before, but just listen how long it takes for the sound to disappear. It takes about a second. So, every piece of

information that I generate from my mouth has all of that information added to it before it reaches your ears. So, the key difference between a space that has good acoustics, in terms of pupils, and bad acoustics is that you only want to listen to the direct sound from the teacher; you do not want to hear all of the additional reflections. That is quite straightforward to achieve scientifically; you just make sure that every surface that sound hits absorbs it and does not reflect it. Most people will be familiar with the restaurant problem. In restaurants these days, you walk in and, in a nice quiet restaurant, you have perfectly normal hearing and you generally do not have a problem. As soon as you get the noise levels increasing, you are leaning forward and trying to make out what that person is saying, who is a few meters away from you. The point that we are here to make really is that when you are disadvantaged from the very beginning, it is that much more important to make sure that the conditions are right so that that child has the best opportunity to get the information. The key thing is that it is not just about being able to hear the teacher, which is obviously quite fundamental; it is also that if you cannot hear well, it is harder to retain the information that you are taught. So, I will pass back.

[167] **Ms Wyn:** Maybe Danyiaal could speak a little bit about his experiences in school.

[168] **Mr Munir:** I would go into a lesson, for example, design technology—that is my interest: electronics—and every time I go in there, the room is all hard floors and thin walls and it is more echoey. So, as soon as I go in, everyone starts chattering and before the teacher starts the lesson it is very frustrating for me to hear other people talking. So, say if I wanted to talk to my friend, I cannot hear because I can hear more people around me rather than just the one person I am talking to directly. Also, when the class is started by the teacher, there are people scraping chairs over the floors, which make really loud screeches. That affects me a lot when trying to concentrate on the teacher, one to one. Everyone has to look at the teacher and listen, but little noises can have a big influence on me, especially when I try to retain information from them. I have to concentrate more and I get more easily tired, so I tend to have headaches or those sorts of things because I have to concentrate directly on the teacher speaking. The sounds and the noises that are made affect me.

[169] **Mr Rogers:** If I could just add the science to that bit, it is quite important that we just appreciate what the brain is doing. What is happening is that the information that is coming in is requiring a lot of cognitive function to just sort the wheat from the chaff—the information from the noise. So, as a result, a number of things happen physiologically: one is that you get tired quickly; and the second is that your cortisol levels go up—your stress levels go up. All of those things are counterproductive in terms of a positive learning environment. We do not learn well under those conditions. So, the point is that the acoustic conditions enable those things to be reduced so that those with a hearing impairment can have a more comfortable environment in which to understand. Maybe I can ask you a question: in the rooms that were specifically designed for hearing impaired, what was the comparison? Did you find those—

[170] **Mr Munir:** There was a huge difference between the hearing impaired rooms and the mainstream classrooms. In the hearing impaired rooms, they have carpets with noise-cancelling walls, which are acoustic walls, so this has been a huge improvement on the mainstream classrooms. The hearing impaired classrooms are totally different, so I can focus more on the teacher without being stressed. I can relax and listen and learn more easily compared to mainstream classrooms.

[171] **William Powell:** Thank you very much indeed for the clarity that you have brought to the issue for me. I should declare an interest; I have a significant hearing impairment in my left ear, so I empathise with that very much indeed.

10:15

[172] I just have a couple of brief questions, and I know that colleagues have issues that they wish to cover with you as well. First of all, how would you like to see the 1999 school regulations specifically enhanced, and do you believe that the current English provisions would be a good benchmark, or would you like us to go beyond that in your aspirations?

[173] **Mr Rogers:** Just to declare my interest as well, I am involved as a trustee in the Institute of Acoustics, and I am also involved in the rewriting of 'Building Bulletin 93'. So, my knowledge of this is all the way up there, but I suppose that I am recognising a weakness in the way that the English regulations are formed and an opportunity for you to do things in a slightly more robust fashion. My concern is purely the technical and the evidence base for this, and I do not think that there is any doubt that good acoustic conditions help those with hearing impairment. The good advantage is that it also helps those without hearing impairment. So, there is a win-win scenario here.

[174] What I would suggest is that the wording in the School Premises (England) Regulations 2012 focuses on this word 'suitable', which is defined, and it points to the new BB93. I am happy to say that it is actually a good improvement in the new document on the old, and I am comfortable that, in offering that forward, it would be a good benchmark. The problem is that there is no requirement to test, so there is no proof, actually, that a school has achieved those conditions. The key for the school premises regulations is that they apply in use. So, it extends to all schools and, indeed, to nurseries too.

[175] Under the current situation in Wales, you would only be looking at building regulations focusing on new schools and, again, there is no mandatory requirement to test. If you bought a new home, you would be required to have a sound test to prove that the acoustic conditions had been met. That is not currently the situation in the building regulations. So, the school premises regulations give an opportunity to tie in with the wording that you have under the twenty-first century schools clause, which is linked to the funding, that requires acoustic testing to be completed to demonstrate that the conditions in BB93 have been achieved. That then would tie back in to 'the suitable condition had been achieved'.

[176] Another helpful steer for you is that, yesterday—. Would you like to mention the quality marks, or would you like me to do?

[177] **Ms Dulson:** No, carry on.

[178] **Mr Rogers:** I have been working with the NDCS to try to come up with, not necessarily the minimum requirement or the minimum standard, but actually one that is desirable for children with hearing impairment. We are calling that the 'quality mark', and that is a freely available, self-administered mark, which any school can download from the NDCS website as of today. What that does is that it sets out gold, silver and bronze standards for classrooms. They are linked to the standards that are in BB93, but also to what the NDCS would like to see as an aspirational target for a classroom. I would encourage you to embrace that as one way in which you could demonstrate that this standard has been achieved. Now, the reason that it is self-administered is to give freely available access, really, and to enable schools to be able to close the gap, simply by demonstrating that they have had an acoustic test done, and they can demonstrate that these standards have been achieved. Once that is the case, they can display this quality mark, and a pupil, a teacher or a parent is then able to freely see and signpost which classrooms are acceptable and which are not. So, I would really suggest that that is a very good way forward, sir.

[179] **William Powell:** That is really helpful. There is just one final question from me, and it is: to what extent is it possible to retrofit? You referred to twenty-first century schools, which clearly is the flagship programme, but many of our pupils for many years to come are going to be in schools that have not been through that particular programme. What are the

particular challenges around retrofitting?

[180] **Mr Rogers:** Interestingly, the costs have been looked at and it might surprise you to know that it is not a costly exercise to retrofit classrooms, because the main issue is around absorption. The panels that you see at the side of this room are acoustic panels. They are here because, without them, the room would be very reverberant. The cost of an acoustic panel for fitting out a classroom is around £500, which, if you think about the benefit, is really insignificant. The reality is that, if you are talking about inclusive environments and the opportunity to close the gap properly, that is the one thing that could be done that would close that gap. It is not true to say that reverberation is the only issue, as you have noise from outside, and so forth, but it is a critical one. By dealing with that issue alone, you would deal with the majority of the problem.

[181] **William Powell:** That is helpful. Russell George, you have indicated, then Joyce.

[182] **Ms Wyn:** Sorry, I was just going to add that, yesterday, NDCS published some guidance for schools, for headteachers and local authorities on creating good listening conditions for learning in education. It is an acoustics toolkit and it is available now on the website. I can give you copies if you would like, after the meeting.

[183] **William Powell:** That would be really helpful; thank you.

[184] **Ms Wyn:** This guidance contains lots of ideas about how to retrofit and improve the acoustic environment of a classroom at a reasonable cost, and also how to do it in a way that makes it attractive for pupils. For instance, you can hang what they call ‘acoustic clouds’; you can hang things from the ceiling that look like little clouds and are made from absorbent material. That makes the classroom look a bit nicer. I can give you these copies afterwards.

[185] **William Powell:** Great; thank you.

[186] **Russell George:** We just have a few minutes left for questions. Thank you for coming today. We have many old buildings, old schools, and I understand that there are plenty of issues there. However, with the new schools that are being built, I wanted to understand the difference. You are saying that schools are being built but they are not accommodating and are poorly designed. However, regardless of the fact of regulation or not, are designers not taking into account your suggestions? Regardless of regulation, they could still take it into account when building a new school.

[187] **Ms Dulson:** All schools that are funded through the twenty-first century schools programme have to have pre-completion testing before the end of that build. However, as we know, there are fewer schools being built through that programme and other funding streams are being used. So, the building regulations at the moment are not fit for purpose and derogations are sought regularly, and are granted far too easily, in our experience. So, we have concern about all new school builds and a retrofit, we are able to demonstrate, is plausible, feasible and sustainable, and it is low cost. However, for the new buildings, we need firmer and stronger regulations in place.

[188] **Russell George:** What I saying is that those regulations are not there, you want them to be there, but is there nowhere in Wales where a schools has been built where they have gone further, beyond the regulations?

[189] **Ms Dulson:** There are good examples, and there are several schools that are currently under construction for which advice is being sought from NDCS on particular points around acoustic environments. There was one school that we would recommend, and perhaps the committee would wish to visit, and that is Rogiet Primary School. We have visited it

ourselves and we were extremely impressed. It is not a school that has a hearing-impaired resource base. This is a school that has gone down the road of providing excellent acoustic environments for the whole school population, because they can see the distinct improvement in attainment for all pupils, not just those with a hearing impairment, and also an improved environment for their teaching staff, who then have much better health and much better throats, and are able to provide a much better learning environment for deaf children.

[190] I think that Peter has a few words that he would like to say.

[191] **Mr Rogers:** I deal with the reality on the building sites and the design teams, and sit around with architects, et cetera. The issue, really, is that if it is a nice wood, it will not make its way through to the end of the design, unless there is a robust defence by an acoustician, often. We are not the police of this process, but we find ourselves more and more in that position. So, unless there is testing—. What we need to do is to provide for new school buildings a design that would comply. Once that goes through building control and is signed off, that then needs to be built. Now, what ends up on site does not always match what is on the design and the reality is that there is no check in place to make sure that that is the case. When you consider the school populations and the next generation going through these new buildings, we really want them to be the right sort of environment. After all, that is what we are expecting, but nobody is checking.

[192] **William Powell:** Joyce Watson is next.

[193] **Joyce Watson:** Thank you for coming in today. There are two things from what you have just said. The fact that nobody is checking is a fairly obvious one, but also best practice. You are pointing us to a school that you want us to visit—I do not know where it is, but, if we can, we will.

[194] **Ms Dulson:** It is not far. It is in Monmouthshire.

[195] **Joyce Watson:** Surely, we do not want to be reinventing the wheel each time. So, is there a process for sharing best practice so that it saves money in that respect? Also, moving on from that, you talk about learning environments, particularly nurseries, which clearly fall outside, and in Wales perhaps more so than other places. How do you think that we are going to manage to bring those on board? They are private enterprises, and they are looking, obviously, to run them as best as they can. What could we do to encourage those private enterprises, in the main, to facilitate the learning environment for those who are challenged with their hearing deficit?

[196] **Ms Dulson:** I think that identifying best practice is quite easily done. There are—

[197] **Joyce Watson:** What about sharing it?

[198] **Ms Dulson:** Indeed. However, there are professional bodies, and there are inspection and regulation authorities and bodies. Estyn, for example inspects. We have the Care and Social Services Inspectorate Wales as well. So, there are several regulatory bodies that could instil best practice or distil best practice. I think that by shoring up the regulations, which, as we have demonstrated, exist in England, for example, with the new 'Building Bulletin 93' and also with the schools regulations, there are ways that we can beef up requirements. In terms of disseminating best practice, I think we can do that very well through current regulatory bodies. Peter, would you like to add anything?

[199] **Mr Rogers:** Yes, please. Nurseries in England are included, even if they are not part of the 'school' definition, under the School Premises (England) Regulations 2012. So, there is a good premise for requiring it. After all, that is where we are developing speech. It is

important. The reality is that nurseries value their Ofsted ratings quite highly. I would suggest that that would be a good opportunity. Ofsted is not an expert in acoustics, but neither is building control. They need to go through a process and demonstrate. It is quite conceivable to achieve that, and it would really help everyone, I think, to understand the process. The Institute of Acoustics and the Association of Noise Consultants are working closely together to provide guidance. That guidance will be available early in 2015. I commend that to you as another route for getting that advice; we are here to assist.

[200] **Ms Dulson:** I know that we were referring to Ofsted there; of course, in Wales, we mean Estyn. However, I would refer you back to the Welsh Government's 'The Learning Country' and its seven core aims, one of which is to give children a flying start. So, I think that it is within your gift. It is your responsibility.

[201] **Joyce Watson:** The reason, if I may, Chair, I picked up on nurseries was for the reason that you have just said: what you learn there will stay with you for the rest of your life, or possibly be missing for the rest of your life. I would also, if I may, like to ask this. You say you have seen good practice, and you say there are bodies that regulate either the building or the learning environment: is there anywhere else that we could go to to pursue this agenda and perhaps understand it better?

10:30

[202] **Ms Dulson:** As Peter is here as a representative of the Institute of Acoustics, I suggest that that is an institute that you need to take evidence from. There is no doubt about that. Actually visiting a school yourselves will give you such a good idea of the difference between a good acoustic setting and a less good acoustic setting. I think we are able to demonstrate quite clearly with the level of the attainment gap in Wales for deaf children that there is a significant issue. It is that word 'significant' again. It really is a problem that we need to be addressing.

[203] So, we are giving you evidence and we have given you a lot of data and evidence within our briefing, which cites again the benefits or the direct correlation between attainment and acoustics. So, please read all of those documents, because they really will flavour the day.

[204] **William Powell:** Thank you. Russell George is next.

[205] **Russell George:** I was just going to ask about the value of us visiting a school. You can tell the difference between a poor acoustic building and a good one, but, for example, if I am not hard of hearing myself, how am I going to understand the difference?

[206] **Ms Dulson:** We will supply you with some ear defenders.

[207] **Russell George:** Right. Okay.

[208] **Ms Dulson:** You will notice immediately as you go in, because you will notice that lack of reverberation. You will notice the absorption within the environment. Rogiet school, for example, is right next door to a major road and they have taken into account design features, and they have also used things like the acoustic cloud, which Elin cited. They have used cushioning and they have used appropriate floor coverings, which also are attractive to children; they enjoy being in those environments. They have been very inventive with regard to the windows and the doors as well. All of these things can make a huge difference to a deaf child within any environment. However, we would also stress that you would be doing this for all children within learning environments.

[209] **Russell George:** But you have got some kind of appliance that we could use that

would—

[210] **Ms Dulson:** Yes, absolutely. We can do that. Indeed.

[211] **Mr Rogers:** Just to emphasise the point that people usually recognise only poor acoustics, you almost do not, really—. You are not aware of it when it is adequate or even good. When you go to a concert hall you will appreciate the music and the fact that it is not coloured. So, when you go into a room, what you are thinking about is, ‘Can I get what I need? Do I feel comfortable? Do I feel in the right state of mind to be able to learn?’ That is quite subtle and that is obviously when you are starting from a point of not being able to hear well initially. You are immediately struggling to just achieve that baseline of, ‘Can I hear?’ So, when you are going into a space, for example the next time you walk into a restaurant—this is the best example I can think of—think about how you feel, think about your anxiety levels when the noise levels start increasing, and think about what we are asking our children to do. We are asking them to go through this process, so let us make it as positive as possible.

[212] **William Powell:** Thanks. There is just one final question from me on the issue of nursery provision, because we have got so many small and medium-sized stand-alone nursery facilities in Wales, and not so many of them are necessarily delivered within the wider foundation phase setting. How can we overcome that particular problem? What could be put in place to raise the bar across Wales, given the nature of the provision?

[213] **Ms Dulson:** I think what we found is that nursery schools generally are very keen to support deaf children’s education and, when we have offered advice, have been very keen to put that advice into practice. I think there is a great will to improve the stock out there and a great will to move forward. So, I do not think that you will find that this will fall on deaf ears.

[214] **William Powell:** Good. I think that is a positive note on which to finish.

[215] Diolch yn fawr iawn am ddod y bore Thank you very much for coming this yma. morning.

[216] It has been a very stimulating session, and I look forward, at the beginning of the next committee meeting, to our opportunity to discuss this and the transcript, which we will also make available to you so that you can be satisfied that everything is correct and that it reflects the session that we have had this morning. Thank you very much indeed.

[217] **Ms Dulson:** Thank you.

[218] **William Powell:** Excellent. Cheers.

[219] Colleagues, that concludes the last agenda item of the last meeting of this term. There are no petition presentations scheduled for today or for the remainder of this week, so it remains for me to wish you a very happy Christmas and also to our superb clerking and support team, without whom we would be in a bad place.

[220] Diolch yn fawr iawn. Nadolig llawen Thank you very much. Merry Christmas and a blwyddyn newydd dda. a happy new year.

[221] Have a restful break. Thank you very much.

*Daeth y cyfarfod i ben am 10:36.
The meeting ended at 10:36.*